

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of Plastina et al.
Serial No. 10/622,767

AUG 10 2004

Filed: July 18, 2003

OFFICE OF PETITIONS

Entitled: ASSOCIATING IMAGE FILES WITH MEDIA CONTENT
Atty. Docket No.: MS#303015.01 (5052)

DUPLICATE

May 4, 2004

**PETITION TO ACCORD FILING DATE FOR EXPRESS MAIL
CORRESPONDENCE NOT RECEIVED BY U.S.P.T.O.
(37 C.F.R. §1.10(e))**

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1. Further to our letter of January 26, 2004, this is a Petition to accord the correspondence in the above-identified application a filing date of **July 18, 2003**, which is the date the correspondence was deposited with the United States Postal Service (U.S.P.S.) with proper postage. A postcard receipt was not received for this case.

2. Ms. Stokes of the United States Patent and Trademark Office provided us with the serial number during a telephone call on October 7, 2003 and confirmed the serial number on April 13, 2004. However, we have not received a filing receipt for this application.

* 3. Accordingly, we are now filing the enclosed Petition and duplicate copies of the correspondence.

* 4. The following attached papers are those required by 37 C.F.R. §1.10(e)(3) for this petition:

- A true copy of the originally-deposited paper(s) or fee(s) showing the number of the "Express Mail" mailing label placed thereon prior to the original mailing.

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- Other

* and, also attached hereto, is a statement, signed by the person who deposited the documents as "Express Mail" with the U.S.P.S., setting forth the date and time of deposit.

5. Please send us a filing receipt for this application.

Respectfully submitted,



James J. Barta, Jr., Reg. No. 47,409
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400
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JJB/kll

* Enclosures

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US APPLICATION

(391)

File MSET 5052 Attorney JBClient Name PlastimetalApplication of Associating Image WithTitle Media ContentExpress Mail No. EL 739384504 215

(✓) Utility Application

(Number of claims 4/5) (Transmittal LTPTO)
 (Sheets of drawings) (Fee Transmittal Form (in duplicate))
 (Total Pages of Application) (Combined Declaration/Power of Attorney)
 (Abstract) (Filing Fee \$ 1498.00 (check enclosed))
 (Application Data Sheet) (Preliminary Amendment)
 (Other Assignment) (

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STATEMENT OF STEPHEN G. PAUTLER

I, Stephen G. Pautler, state as follows:

1. I am an employee of the law firm of Senniger, Powers, Leavitt and Roedel ("SPLR"), where I have been employed since 1998. My present position is Office Services Manager.

2. Part of my responsibilities at SPLR include the deposit of Express Mail envelopes in the United States Post Office. Every day at approximately 4:00 p.m. all Express Mails are taken to the United States Post Office. I give them to a postal employee who fills out the Express Mail receipt, including stamping the receipt with the date the Express Mail envelope is received by the United States Post Office, and returns it to me.

3. On information and belief, I deposited Express Mail Envelope Number EL 739384504 US in the United States Post Office on July 18, 2003 prior to 4:30 p.m., the latest time that the Post Office Branch accepts Express Mail deposits.

4. The copies of the correspondence, the copy of the "Express Mail" mailing label, and any official notation entered by the United States Postal Service enclosed herewith are true and correct copies of the originally mailed correspondence, original "Express Mail" mailing label, and official notation entered by the United States Postal Service from Express Mail Envelope Number EL 739384504 US. A postcard receipt was not received for this case.

5. All statements that I have made of my own knowledge are true and all statements made on information and belief are believed to be true. I am aware that willfully making false statements is punishable by fine, imprisonment, or both, under 18 U.S.C. §1001 and that willfully making such false statements may jeopardize the validity of any patent issuing from the above-referenced application.

Date: May 4, 2004

By: Stephen G. Pautler
Stephen G. Pautler

MISCELLANEOUS

(390)

File WFT 5052Attorney JJB/kjlClient Name Plastina et al.Inventor(s) or Mark Plastina et al.Serial No. 10/1622,767 Patent/Reg. No. _____

The following has been received by the U.S. Patent and Trademark Office on the date stamped hereon:

Amendment _____ Fee Transmittal Form
 Preliminary Amendment Combined Declaration/Power of Attorney
 Response to Missing Parts Notice Notice of Appeal
 Assignment and Cover Sheet Status Inquiry
 Brief IDS, PTO/SB/08A, _____ Reference(s)
 Check \$ _____ Sheet(s) of Formal Drawing(s)
 Letter to Commissioner Letter to Official Draftsman
 RCE Transmittal Issue Fee/PTO-85b/Certificate of Mailing
 Maintenance Fee Publication Fee
 Declaration Statement of Use
 Section _____ Declaration Extension of Time to Oppose

Other Petition inc copies & filing correspondence

Other Statement

DT07 Rec'd PCT/PTO 07 MAY 2004



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